

**BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION**

|                                     |   |                     |
|-------------------------------------|---|---------------------|
| In the Matter of the Revocation     | ) |                     |
|                                     | ) |                     |
| or Suspension of the Educator's     | ) | CONSENT ORDER OF    |
|                                     | ) |                     |
| Certificate of Clive James Lugmayer | ) | VOLUNTARY SURRENDER |
|                                     | ) |                     |
| Certificate # 903941                | ) |                     |

**SUMMARY OF THE CASE**

The South Carolina State Board of Education (State Board) considered this matter on December 9, 2003. On October 27, 2003, the State Department of Education (Department) sent a notice of the possible suspension or revocation of his certificate to Mr. Lugmayer by certified mail, return receipt requested, delivery restricted to addressee. Mr. Lugmayer received the notice, as evidenced by the signed postal receipt. Mr. Lugmayer voluntarily surrendered his certificate to the State Board. This surrender will be reported to the NASDTEC Clearinghouse and all South Carolina school districts as a voluntary surrender with the statutory reasons listed as unprofessional conduct. After considering the evidence presented, the State Board voted to accept the voluntary surrender of Mr. Lugmayer's certificate.

**FINDINGS OF FACT**

Mr. Lugmayer holds a valid South Carolina certificate, and has over nine years of teaching experience. The Lexington County School District Two (District) suspended Mr. Lugmayer from his position as a teacher at Brookland-Cayce High School on September 9, 2003, after an investigation into allegations that he acted inappropriately towards and in the presence of students and his failure to adhere to school and district financial policies and procedures. One allegation is that he made aggressive advances and vulgar profanities toward a student. Additionally there are allegations that he

profited personally from items made in the school's welding shop and misrepresented that the school would profit from these items instead. A recommendation was subsequently made by District officials to terminate Mr. Lugmayer. Mr. Lugmayer resigned his employment on September 16, 2003.

### **CONCLUSIONS OF LAW**

"The State Board of Education may, for just cause, either suspend or revoke the certificate of any person." S.C. Code Ann. § 59-25-150 (1990). Just cause includes unprofessional conduct. S.C. Code Ann. § 59-25-160 (1990). The State Board finds that the preponderance of the evidence presented supports its decision to accept the voluntary surrender of Mr. Lugmayer's certificate # 903941, effective December 9, 2003.

South Carolina State Board of Education

By: \_\_\_\_\_  
Greg Killian  
Chair

Columbia, South Carolina  
December 9, 2003

I, Mary E. Rainey, SC Teaching Certificate # 133570, do hereby agree to the proposed Consent Order of Voluntary Surrender, consisting of two pages, and understand that this Order will be presented as signed to the State Board of Education on Tuesday, November 12, 2003, for approval.

\_\_\_\_\_  
Mary E. Rainey

\_\_\_\_\_  
Date